

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

HEATHER KLEMP-HAHN,)	
)	
Plaintiff,)	No. 16 cv 11280
)	
v.)	Judge Andrea Wood
)	
ROBERTO SALAS, and)	
VILLAGE OF FOREST PARK,)	
)	
Defendants.)	

JOINT RULE INITIAL STATUS REPORT

1. Attorneys of Record for Each Party

a. For Plaintiff

Jon Loevy
Elizabeth Mazur
Aisha Davis
Loevy & Loevy
311 N. Aberdeen, Third Floor
Chicago, IL 60607

b. For Defendant Village of Forest Park

Julie Bruch
Gail Reich
O'Halloran Kosoff Geitner & Cook, LLC
650 Dundee Road, Suite 475
Northbrook, IL 60062

c. For Defendant Roberto Salas

Daniel Herbert
Kelly Krauchun
Law Offices of Daniel Q. Herbert and Associates
206 S. Jefferson St #100
Chicago, IL 60661

2. Service. All Defendants have been served and have appeared.
3. Basis for Federal Jurisdiction. 28 U.S.C. § 1331 provides the basis for jurisdiction over Plaintiff's federal claims, and 28 U.S.C. § 1367 provides the basis for supplemental jurisdiction over Plaintiff's state law claims.
4. Nature of the Claims. Plaintiff Klemp-Hahn alleges that Defendant Officer Roberto Salas sexually assaulted her while he was on duty and acting as police officer. Plaintiff alleges that this conduct constituted a violation of her constitutional rights and is thereby actionable under 42 U.S.C. § 1983. Plaintiff also alleges that the Defendant Village of Forest Park is liable for Defendant Salas' misconduct under § 1983 under *Monell v. Dept. of Social Services*. Plaintiff also assert pending state law claims against Defendant Salas for his allegedly tortious conduct.
5. Relief Sought. Plaintiff seeks compensatory damage against both Defendants and punitive damages against Defendant Salas.
6. Major Legal and Factual Issues. The major legal issues will be whether Defendant Salas was acting within the scope of his employment during his interaction with Plaintiff and the major factual issues will be whether the interaction between Plaintiff and Defendant Salas was consensual.
7. General Type of Discovery Needed. The parties will need discovery relating to police investigations of the underlying incident, discovery relating to other acts of alleged sexual misconduct committed by members of the Forest Park police department, and discovery regarding Plaintiff's damages.

Discovery will include Requests to Produce, Interrogatories, Requests to Admit, and depositions of fact witnesses and treaters, as well as possible Rule 30(b)(6) deponents and experts.

The parties do not anticipate there will be significant issues relating to privilege or ESI.

The parties will likely seek entry of a confidential matter protective order.

8. Proposed Discovery Schedule
 - a. Rule 26(a)(1) disclosures to be made by June 15, 2017
 - b. Fact discovery to close by February 15, 2018
 - c. Plaintiff's Rule 26(a)(2) disclosures to be made by March 15, 2018
 - d. Defendants' Rule 26(a)(2) disclosures to be made by May 15, 2018
 - e. Plaintiff's Rebuttal Rule 26(a)(2) disclosures to be made by July 9, 2018
9. Dispositive Motions to be filed by August 20, 2018

10. Trial. Trial is expected to last 5 days. A jury trial has been demanded.

11. Settlement. The parties are discussing settlement.

12. Consent to Magistrate. The parties do not consent to proceed before a magistrate.

Respectfully submitted,

/s/Elizabeth Mazur
For Plaintiff

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CERTIFICATE OF SERVICE

I, Elizabeth Mazur, an attorney certify that I served a copy of this report on all counsel of record via the Court's ECF system.

/s/Elizabeth Mazur